

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

***Reply under 37 CFR §1.116 - Expedited Procedure - Technology Center 1600***

**In re application of:** Emerson

**Application No.** 09/781,592

**Filed:** February 12, 2001

**FILED VIA EFS ON October 3, 2006**

**Confirmation No.** 1304

**For:** METHOD OF REGULATING  
TRANSCRIPTION IN A CELL

**Examiner:** Maria Marvich, Ph.D.

**Art Unit:** 1633

**Attorney Reference No.** 7158-71254-03

SUBMITTED VIA ELECTRONIC FILING SYSTEM  
UNITED STATES PATENT AND TRADEMARK OFFICE

**AMENDMENT AND RESPONSE TO FINAL OFFICE ACTION**

This Amendment and Response to Final Office Action ("Amendment") is filed in response to the final Office action, dated August 9, 2006 ("Office Action"). A three-month period for reply was set; therefore, a response is due on or before November 9, 2006. A reply filed within two months of the mailing date of the Office Action (*i.e.*, by October 9, 2006) receives the potential benefit described on page 8 of the Office Action. It is believed that no fees are required in connection with this filing; however, the Commissioner is authorized to charge any fees that may be required to Deposit Account No. 02-4550.

Please amend the claims as set forth beginning on page 2.

Remarks begin on page 5 and conclude on page 11.

One reference (Klug, *J. Mol. Biol.*, 293:215-218, 1999), which is discussed in the Remarks, is attached to the end of this Amendment.